

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

LEON WEINGRAD, individually and on behalf of a class of all persons and entities similarly situated,

Plaintiff

vs.

DaBella Exteriors LLC

Defendant.

Case No. 3:25-cv-00396-SI

UNOPPOSED MOTION FOR SUBPOENA
TCPA (47 U.S.C. § 227)

**ORDER ON UNOPPOSED MOTION
GRANTING LEAVE TO SERVE A THIRD-PARTY
SUBPOENA FOR IP ADDRESS INFORMATION**

THIS CAUSE came before the Court upon the aforementioned Unopposed Motion (the “Motion”), and the Court being duly advised in the premises does hereby **FIND, ORDER AND ADJUDGE:**

1. Plaintiff established that good cause exists for him to serve a third-party subpoena on Comcast Cable Communications for the identity of the subscriber assigned the IP address 71.236.219.153 on February 6, 2025 at 16:16 UTC.
2. Plaintiff, through his counsel, may serve Comcast Cable Communications a Rule 45 subpoena commanding them to provide Plaintiff documents reflecting the true name, address, contact telephone number, and e-mail address for the subscriber assigned the IP address 71.236.219.153 February 6, 2025 at 16:16 UTC.

Unopposed Motion for Subpoena

3. Comcast Cable Communications is further ordered to refrain from destroying information responsive to the subpoena or documents and records pertaining to IP address 71.236.219.153 as soon as a copy of this Court Order, and subpoena, is duly served upon the registered agent for Comcast Cable Communications. This paragraph shall serve as an order under the provisions of 47 U.S.C. § 551(e), pertaining to destruction of information by cable providers. This order shall remain in effect until the termination of the litigation or further order of the Court.

4. Comcast shall comply with its contractual customer notification provisions prior to making disclosure responsive to the Subpoena to the Plaintiff, including by notifying its customer within 7 days of service upon the registered agent for Comcast Cable Communications, and providing its customer 21 days to object to the disclosure of information sought by seeking to quash the subpoena.

5. Plaintiff may use the information disclosed in response to this subpoena for the sole purposes of litigation and enforcing his TCPA claims, as more fully set forth in his complaint, and not for any other improper purpose, such as to harass the person or entity identified in the response.

DONE AND ORDERED this 8th day of April, 2025.

By: 

Honorable Michael H. Simon, U.S. District Judge

Unopposed Motion for Subpoena